

from the liver, cleanse and strengthen the kidneys, purify the blood stream, and tone up the entire system. The article would not fulfill the promises of benefit stated and implied. Further misbranding, Section 502 (f) (2), the labeling failed to bear adequate warning against unsafe duration of administration, since the warning "Laxatives should not be taken regularly over an extended period of time as they may become a habit" had been made inadequate by the direction "Directions for best results. For the first 10 to 15 days on retiring take one or two tablets with a full glass of water; then as needed."

*Natural B Complex Tablets*, misbranding, Section 502 (a), certain statements in the labeling were false and misleading since the article would not fulfill the promises of benefit stated and implied. The statements represented and implied that the article would be of value to persons who were below par and always tired, sleepy, and listless; and that it would make one feel like a new person and enable one to live his life in a way to enjoy it.

*Nurex Tablets*, misbranding, Section 502 (a), certain statements in the labeling were false and misleading since they represented and suggested that the article was of nutritional and therapeutic value because of the presence of sodium, potassium, and magnesium; that it would be of value to ones who were nervous, irritable, despondent, blue, and unable to sleep nights; and that it would relax taut nerves. The article was of no nutritional or therapeutic value by reason of the minerals mentioned, and it would not be effective to fulfill the promises of benefit stated and implied.

*Vitamin Minerals Tablets*, misbranding, Section 502 (a), certain statements in the labeling were false and misleading since they represented and suggested that the article would enable persons to keep healthy, young, and beautiful, and to keep their skin, hair, and nails in youthful condition. The article would not fulfill the promises of benefit stated and implied.

*Sleen Tablets*, *Sleen Pellets*, and *Sleen Herb Tea*, misbranding, Section 502 (a), certain statements in the labeling were false and misleading since they represented and suggested that the articles would be effective to reduce the weight of the user, to provide important amounts of essential food elements, to supply nutritional balance, to build physically while getting rid of excess weight, and to help in gradually changing body processes to a normal state. The article would not be effective for such purposes.

The *Natural B Complex Tablets*, *Nurex Tablets*, and *Vitamin Minerals Tablets* were alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

**DISPOSITION:** October 18, 1945. Jack G. Pavo, trading as the Pavo Co., having appeared as claimant and having filed an answer denying that the products were misbranded, and the court having found that the articles were misbranded within the meaning of the law, judgment of condemnation was entered. The products were ordered released under bond to be brought into compliance with the law by relabeling or destruction, as the circumstances might require, under the supervision of the Food and Drug Administration.

**2156. Misbranding of West's preparations. U. S. v. 56 Bottles \* \* \*. (F. D. C. No. 22747. Sample Nos. 90326-H to 90336-H, incl.)**

**LIBEL FILED:** March 28, 1947, District of Columbia.

**ALLEGED SHIPMENT:** On or about March 24, 1947, and on prior dates by Mineralized Foods, Inc., from Baltimore, Md.

**PRODUCT:** 62 bottles of *West's Imported Sea Vegetable Tablets*, 42 bottles of *West's Sea Vegecene (Powder)*, 38 bottles of *Ferrolene Tablets*, 42 bottles of *West's Sodeom Tablets*, 20 bottles of *West's Sodeom (Vitaminized Sodeom Tablets)*, 45 bottles of *West-Aid Tablets*, 32 bottles of *West's Kalseom Tablets*, 16 bottles of *West's Sea-Vo-Kra Tablets*, 16 bottles of *West's Imported Sea Vegetation Tablets (Vitaminized with added Vitamin A)*, 35 bottles of *F Y A Tablets*, and 46 bottles of *West's Pro-Pi-Ya Tablets*.

The products were located at Washington, D. C. The *West's Sea Vegecene (Powder)* was contained in 5- and 8-ounce-size bottles, and the other products were contained in 100-, 240-, 400-, or 500-tablet-size bottles. The products consisted preponderantly of sea vegetation, such as kelp, seaweed, etc., with added vitamins in some instances.

**NATURE OF CHARGE:** Misbranding, Section 502 (f) (1), the labeling of the articles failed to bear adequate directions for use in arthritis, neuritis, angina

pectoris, apoplexy, heart diseases, cerebral hemorrhages, arteriosclerosis, and high and low blood pressure; in providing resistance to infection and epidemics; in preventing a variety of maladies from diseased tonsils to mysterious nervous disorders, pain in the bones and bone marrow, brain and nerve disturbances, lassitude, nausea, vomiting, headaches, sleeplessness, loss of appetite, and damage to teeth; in lengthening life; in preventing cancer and tooth decay; in preventing or curing an alarming number of dreaded diseases, rickets, neuritis, scurvy, softening of the bones, hairlessness, paralysis, bone and joint disease, malnutrition, leg weakness, roup, stiff neck, beriberi, black tongue, ulcerated gums, falling teeth, sores, and dropsy; in changing a hopeless physical wreck to an individual of buoyant, glowing health; in improving the health of people suffering from a wide variety of nutritional diseases; in preventing and curing arthritis, rheumatism, neuritis, high blood pressure, low blood pressure, heart condition, nervousness, frequent colds, kidney condition, sleeplessness, constipation, migraine headaches, skin conditions, poor eyesight, hay fever, asthma, sinus infection, continual tiredness, underweight, overweight, stomach and intestinal ulcers, anemia, general weakness, diabetes, painful and irregular menstruation, dropsy, swollen limbs, gall bladder conditions, super-sensitivity, brittle fingernails, stiff joints, poor memory, poor circulation, mucous condition, low energy, glandular disturbances, varicose veins, epilepsy, palsy, cataracts, catarrhal conditions, tooth malformation, excessive acid, stomach trouble, and other degenerative diseases; in helping nutritionally to relieve, ease, and lessen excessive acid pains in arthritis; in increasing resistance to the causative factors of disease; and in preventing flu, such as was prevalent in the 1918 epidemic. The diseases, symptoms, and conditions mentioned were those for which the articles were prescribed, recommended, and suggested in advertising sponsored by and on behalf of their manufacturer, packer, and distributor.

**DISPOSITION:** June 28, 1947. Default decree of condemnation and destruction.

**2157. Misbranding of diathermy machines. U. S. v. 2 \* \* \*. (F. D. C. No. 21905. Sample No. 42175-H.)**

**LABEL FILED:** November 27, 1946, District of Columbia.

**ALLEGED SHIPMENT:** On or about November 14, 1946, by the David Bogen Co., Inc., from New York, N. Y.

**PRODUCT:** 2 *diathermy machines* at Washington, D. C. The machines were invoiced as "5-A Diathermy Machines," and they were offered to the general public for such conditions as rheumatism, arthritis, neuritis, bursitis, sciatica, lumbago, sinus congestions, and common colds.

**LABEL, IN PART:** "Model No. 5-A \* \* \* Turn Past 3 \* \* \* Then Set for Time."

**NATURE OF CHARGE:** Misbranding, Section 502 (f) (1), the machines failed to bear adequate directions for use.

**DISPOSITION:** July 29, 1947. The Sun Radio Service and Supply Corporation, Washington, D. C., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

### DRUG ACTIONABLE BECAUSE OF THE PRESENCE OF A NONCERTIFIED COAL-TAR COLOR

**2158. Adulteration and misbranding of Kao Drops. U. S. v. 383 Bottles \* \* \*. (F. D. C. No. 22523. Sample No. 40482-H.)**

**LABEL FILED:** February 14, 1947, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about November 6 and 8, 1946, by the Kao Co., from Texarkana, Ark.

**PRODUCT:** 383 1-fluid-ounce bottles of *Kao Drops* at Advance, Mo. Examination showed that the product consisted essentially of ether, with small proportions of salicylic acid and oil of peppermint, and that it was colored with amino-azo-ortho-toluene (Colour Index No. 17).

**NATURE OF CHARGE:** Adulteration, Section 501 (a) (4), the article contained, for purposes of coloring only, a coal-tar color which had not been listed as